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Missiles

Report of the Secretary-General

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I. Introduction

1. In operative paragraph 2 of its resolution 55/33 A of 20 November 2000, entitled "Missiles", the General Assembly requested the Secretary-General to seek the views of all Member States on the issue of missiles in all its aspects, and to submit a report to the Assembly at its fifty-sixth session.

2. By a note verbale dated 9 February 2001, all Member States were invited to communicate their views on the issue. To date, seven Member States have replied. Their responses are reproduced in chapter II. Any replies received subsequently will be issued as addenda to the present report.

II. Replies received from Member States

A. Belarus

[Original: English]
[18 May 2001]

1. The Republic of Belarus perceives with anxiety the challenges to the modern international community posed by the proliferation of missiles capable of delivering weapons of mass destruction and technologies for their manufacture. In view of this, the activities of the Missile Technology Control Regime (MTCR), as well as efforts aimed at setting up the Global Control System for the Non-proliferation of Missiles and Missile Technologies (GCS) are considered timely and well grounded.

2. The Republic of Belarus believes that the United Nations should play a leading role in coordinating efforts in the area of missile non-proliferation.

3. Belarus believes that it is expedient to develop, within the United Nations framework, guidelines in the area of non-proliferation of missiles and missile technologies which could serve as a basis for a comprehensive missile non-proliferation regime. Major elements of such a regime could include, among others, a regime to ensure non-proliferation of missiles and missile technologies, a regime for transparency in missile launches and confidence-building measures in this area, and a regime for international consultations. It is also necessary to envisage mechanisms for providing incentives, encouragement and security assurances to the States that have renounced or are renouncing the possession of missiles and missile technologies. To develop detailed proposals on establishing such a regime, it is advisable to utilize the experience accumulated within MTCR as well as that accumulated during the development of GCS.

4. It is advisable also to use a non-discriminatory and stage-by-stage approach to solving the problems of missile non-proliferation that should involve all interested States that have missile programmes and possess missiles or technologies for their manufacture.

5. In this context, it would be a positive step to establish a panel of governmental experts within the United Nations to prepare a report for the consideration of the General Assembly at its fifty-seventh session on the issue of missiles in all its aspects as well as to include in the provisional agenda of its fifty-sixth session the item entitled "Missiles".

B. Bolivia

[Original: Spanish]
[14 June 2001]

The Permanent Mission of Bolivia to the United Nations presents its compliments to the Department for Disarmament Affairs of the United Nations Secretariat and, with reference to the note verbale concerning General Assembly resolution 55/33 A, entitled "Missiles", has the honour to inform it that, according to information received from the Ministry of Foreign Affairs of Bolivia, the armed forces of Bolivia do not possess this type of weapon at present and do not intend to acquire or manufacture such weapons in the future.

C. El Salvador

[Original: Spanish]
[21 June 2001]

1. The Permanent Representative of El Salvador to the United Nations presents his compliments to the Secretary-General of the United Nations and refers to note DDA/7-2001/MISL, in which the Secretary-General refers to resolution 55/33 A, entitled

"Missiles", adopted by the General Assembly on 20 November 2000. Paragraph 2 of that resolution requests Member States to transmit their views on the issue of missiles in all its aspects.

2. The Permanent Representative has the honour to report that in the view of the Government of El Salvador, the issue of missiles in the conventional context should remain in the category of conventional arms, as set out in resolution 46/36 L, adopted by the General Assembly on 9 December 1991.

D. Mexico

[Original: Spanish]
[21 May 2001]

1. In Mexico's view, the consideration of this item, in the context of an inclusive, multilateral and non-discriminatory exercise directed at a universal agreement, cannot be postponed. Accordingly, Mexico encourages the efforts of the international community to implement at an early date the mandate established by paragraph 3 of the resolution in question, which requests the Secretary-General of the United Nations, with the assistance of a panel of governmental experts to be established on the basis of equitable geographical distribution, to prepare a report on the subject for the consideration of the General Assembly at its fifty-seventh session.

2. Mexico reaffirms, as it stated during the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, how important it is to preserve and implement the Treaty on the Limitation of Anti-Ballistic Missile Systems as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons.

3. Mexico considers it essential that the United Nations be involved in the design of a multilateral mechanism on missiles and missile technology, which would benefit from the experience of other existing international mechanisms and initiatives in the field of disarmament and non-proliferation.

4. The international panel of experts could study, inter alia, issues relating to the capability of missiles to deliver weapons of mass destruction, missile type, technology and launching systems, verification, prevention of the development, production and proliferation of missiles for non-peaceful purposes, confidence-building and transparency measures, international cooperation, peaceful uses of missiles and missile technology.

5. A regime for the non-proliferation of missiles and missile technology must necessarily take into account potential illicit flows that could impair the credibility of the relevant control or regulation system. It must also provide for the impact, influence and status of the outer space legal regime, so as to preserve it from militarization.

E. Russian Federation

[Original: Russian]
[8 June 2001]

Missile proliferation

1. General Assembly resolution 55/33 A, entitled "Missiles", reflects the concern of the international community about missile proliferation. This problem is primarily regional in character and has become a pressing issue in recent years with the increase in the number of countries developing missile programmes, due in no small measure to the announcement by the United States of America in 1996 of a programme to prepare for the deployment of a national anti-missile defence system. The implementation of this programme would lead to the dismantling of the established system of treaties and agreements in the fields of arms control and non-proliferation and, overall, to the undermining of strategic stability in the world and international security.

2. The reasons for missile proliferation are, to a considerable extent, the attempts of States to find answers to the political instability in individual regions of the world and their efforts to ensure their security and stimulate industrial and economic development through access to missile and space technologies. Individual countries are seeking to strengthen their political and military influence by building and perfecting rocket weapons. The fact that demand begets supply is also of no small importance. In addition, the creation and deployment by the United States of America of a national anti-missile defence system, which is prohibited under the Treaty on the Limitation of Anti-Ballistic Missile Systems (ABM Treaty) of

1972, would give a major impetus to missile proliferation.

Previous measures

3. The making of international efforts to contain and limit ballistic missiles is not new. The first mechanisms for that purpose were established through the efforts of the Union of Soviet Socialist Republics and the United States of America, which had the largest arsenals of such missiles. They took a number of steps to limit, reduce and eliminate rocket weapons designed for military purposes, having recognized the military and financial irrationality of maintaining their stockpiles. Such steps were made possible by the obligation laid down in the ABM Treaty to refrain from deploying anti-ballistic missile systems to defend the territory of their countries and from creating the basis for such defence, which was a necessary condition that ensured the reduction of strategic offensive weapons. As the world community has recognized, the ABM Treaty continues to be a cornerstone of strategic stability and the basis for cuts in strategic offensive weapons.

4. The Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of their Intermediate-Range and Shorter-Range Missiles (INF Treaty) of 1987 was of significant importance for missile non-proliferation. As a result of the Treaty, the Russian Federation and the United States of America completely eliminated an entire class of their ground-based missiles with ranges of 500 to 5,500 kilometres. Altogether, 2,690 such missiles were eliminated.

5. The process of limiting strategic ballistic missiles began with the strategic arms limitation treaties (SALT) of the 1970s. The genuine reduction and elimination of strategic ballistic missiles with ranges of more than 5,500 kilometres commenced with the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START I) of 1991. In accordance with this Treaty, as at 1 January 2001, 2,810 intercontinental and submarine-launched ballistic missiles had been eliminated. Deeper reductions are envisaged under START II, which was ratified by the Russian Federation in 2000. The Russian Federation is also prepared to begin immediate negotiations on a new START III that would provide for the further limitation and reduction of all strategic offensive arms without exception, including long-range sea-based cruise missiles.

Ways and means of addressing the problem

6. The situation that has arisen in the world with respect to missile proliferation demands that the problem be addressed by using the existing international legal mechanisms and establishing new ones to contain and limit the proliferation of missiles and missile technologies. It is also very important to maintain a reasonable balance between the interests of States' economic development linked to the use of missile technologies and their legitimate security interests.

7. In order to be effective, the future control mechanism for the non-proliferation of missiles and missile technologies must meet specific criteria. In political terms, such a mechanism must be acceptable to the international community and constitute a universally recognized goal. It must be open for participation by all interested States on an equal and non-discriminatory basis. The future mechanism could be called the Global Control System for Non-Proliferation of Missiles and Missile Technologies (GCS). It must be developed and operate under the auspices of the most universal and representative organization. The United Nations is such an international organization, and its Security Council bears the main responsibility for maintaining peace and international security.

8. From an organizational viewpoint, GCS must incorporate a number of elements: a multilateral regime for transparency with respect to missile launches as a confidence-building measure; measures to promote and ensure the security of States that renounce national missile programmes; and multilateral consultations on the problem of missile proliferation. Such consultations could be devoted from the outset to the joint analysis and evaluation of the missile threat. Such an approach would make it possible to avoid both underestimating this threat and taking measures disproportionate to its level. Participation in GCS by all the nuclear-missile States would contribute to its effectiveness. Its establishment would be a political and diplomatic alternative to solving by military force the problem of missile proliferation linked to the building of anti-missile defence systems. Of course, in the event that anti-missile defence systems were deployed by individual countries or military-political blocs, such a mechanism would be senseless since the national anti-missile defence system of the United States of America

would constitute the major impetus for missile proliferation.

9. The establishment of GCS has been discussed on two occasions, at the international working meetings of experts held in Moscow in March 2000, and February 2001 on the initiative of the Russian Federation. During these meetings, broad support was expressed for GCS and the view was expressed that the issue should be considered under United Nations auspices. The preparation by the Secretary-General, pursuant to General Assembly resolution 55/33 A, of a report on the issue of missiles in all its aspects for consideration by the Assembly at its fifty-seventh session answers this purpose.

Use of existing international experience

10. The multilateral regime for transparency with respect to missile launches would be one of the key elements of GCS. There is a precedent for such a regime in the practice of certain countries. The Agreement between the United States of America and the Union of Soviet Socialist Republics (now the Russian Federation) on Notification of Launches of Intercontinental Ballistic Missiles and Submarine-Launched Ballistic Missiles has been in force since 1988. Pursuant to this Agreement, the parties give one another prior notification of planned missile launches. In December 2000, the Russian Federation and the United States of America signed a Memorandum of Understanding on Notification of Missile Launches in accordance with which the current regime for exchanging notifications between the two countries is being expanded and technical capacity is being developed with a view to turning the bilateral notification system into a multilateral system (the system's architecture would allow for 200 users). The multilateral regime for transparency with respect to missile launches could be based at the Russian-American Centre for the Exchange of Data from Early Warning Systems and Notification of Missile Launches that is being established in Moscow or at any other agreed location.

11. There are other bilateral mechanisms in addition to the aforementioned Russian-American arrangements for notification of missile launches. In 1999, India and Pakistan signed a memorandum of understanding containing, inter alia, a commitment to the principle of prior notification of ballistic missile launches. The Convention on Registration of Objects Launched into Outer Space, which entered into force in 1976, provides useful legal experience in this area.

12. Experience in preventing missile proliferation has been gained through the Missile Technology Control Regime (MTCR). The guiding principles of MTCR are the limitation of the risk of proliferation of weapons of mass destruction through the control of supplies that could facilitate the creation of systems for their delivery. It is important to take into account that MTCR is not aimed at impeding the development of national space programmes and international cooperation in the peaceful use of outer space; nor is the future GCS. The MTCR partner countries have developed a draft code of conduct for the prevention of the proliferation of ballistic missiles, which has been submitted for discussion by the international community. The common ideology of seeking solutions to the challenges of missile proliferation through political and diplomatic methods, which is reflected in both the draft code and GCS, makes it possible to consider these areas as complementing one another. With the necessary revisions, the measures proposed in the draft code could be an integral part of the Global Control System for Non-Proliferation of Missiles and Missile Technologies.

The international treaty as a basis for the future regime

13. The task of establishing the Global Control System would be tackled through the elaboration of an international agreement or agreements which would define the methods and areas for developing relations between States in this specific field, their rights and obligations and ways and means of achieving objectives. Of course, the establishment of such a multifaceted global mechanism like GCS would require time, phased implementation and definite consistency of action. At the initial stage, it would make sense to tackle those issues that can be effectively resolved most readily. As the international meetings of experts on the Global Control System in Moscow demonstrated, the multilateral regime for transparency regarding rocket launches, in respect of which there is the most international experience, is such an issue for the near future. The simultaneous consideration of the question of incentives and guarantees cannot be excluded either.

14. The goals of the international community are seen in the building, through joint efforts, of an effective

comprehensive control mechanism for the non-proliferation of missiles and missile technology, which would operate on a voluntary, equitable and non-discriminatory basis. The creation of a closed club of missile States, domination by any group of countries in matters relating to missile non-proliferation, or the division of States into groups by virtue of which different codes of regulations would be in effect for different countries would be counter-productive.

Further steps

15. In observing the conditions set forth above, the work of establishing the Global Control System must be conducted at a broad international representative forum. In this connection, the practical elaboration of an agreement or agreements could be carried out directly within the framework of the United Nations, which would establish for these purposes the corresponding negotiating body or would entrust the matter to one of its already existing bodies. Making use of the Conference on Disarmament in Geneva, for which the United Nations could prepare a corresponding mandate, is another option. At such negotiations, the Conference should have the primary role as the sole multilateral forum for conducting negotiations on the questions of arms limitations and disarmament.

F. Saudi Arabia

[Original: Arabic]
[29 May 2001]

1. Reference is made to your note dated 16 February 2001 (DDA/7-2001/MISL), which refers to paragraph 2 of General Assembly resolution 55/33 A, entitled "Missiles".

2. We should like to state that the Kingdom of Saudi Arabia is making every possible effort to rid the Middle East region of weapons of mass destruction and is doing so by participating actively in the drafting of a convention to achieve that goal at the earliest possible opportunity.

3. Saudi Arabia has signed all of the conventions for the prohibition of weapons of mass destruction, whether chemical, biological or nuclear weapons, without commitment regarding the means of delivery of such weapons, customarily ballistic missiles.

4. Resolution 55/33 A suggests a limitation on the possibility of developing capacities in the ballistic missile field by which Saudi Arabia can only be bound when neighbouring countries and Israel [also] assume such obligations.

G. Sweden (on behalf of the States Members of the United Nations that are members of the European Union)

[Original: English]
[5 June 2001]

1. The member States of the European Union abstained in the vote on resolution 55/33 A. The reason for this was not so much the contents of the resolution, much of which we agree with, but rather what was not included. In our view, the resolution lacks sufficient focus, in particular regarding what we see as the overriding problem in the field of missiles, that is, the proliferation of ballistic missiles, and in particular those capable of carrying weapons of mass destruction. This is an urgent problem and one that deserves our highest attention.

2. The European Union notes with concern that strategies of acquisition or development of ballistic missiles are often pursued as a response to regional tension, despite the adverse consequences for regional, as well as global, security and stability that such actions may provoke. While reaffirming our commitment to rigorous export controls as well as support for regional peace initiatives — as important ways of addressing the problem of missile proliferation — we also note that such efforts need to be complemented by global, multilateral approaches.

3. The European Union thus sees an urgent need for the development of globally accepted norms in support of ballistic missile non-proliferation, analogous to the norms laid down in the international regimes designed to curtail proliferation of nuclear, biological and chemical weapons. The most advanced and promising initiative in this field is the draft international code of conduct, ideas on which were developed within the Missile Technology Control Regime. The European Union recognizes the particular importance of ensuring that the multilateralization of the draft international code of conduct proceeds at a pace. The European Union continues to examine how this might best be

achieved. The European Union is also actively engaged in broad-based consultations with interested States. In order to achieve its objective, the process of promoting the international code of conduct must remain transparent and inclusive, avoiding discrimination against any State wishing to engage in the development of, or subscribe to, the international code of conduct.

4. The European Union welcomes the establishment of a United Nations Expert Group, in accordance with General Assembly resolution 55/33 A, as a potentially useful mechanism in the multilateral consideration of the issue of missiles. We would like to underline, however, that the United Nations Expert Group is not a negotiating or drafting forum. In our view, it is vital that the Group focus its work on ways and means of preventing or reducing missile proliferation and also on disarmament issues. Important issues that might be considered in the United Nations Expert Group include transparency, confidence-building measures and verification. In this connection, the European Union would like to draw attention to the different elements of the draft international code of conduct. These are of particular importance with respect to ballistic missiles and space programmes considering that there are similarities between both types of programmes in terms of technology, facilities and expertise.